

Marc J. Randazza, CA Bar No. 269535
Alex J. Shepard, CA Bar No. 295058
RANDAZZA LEGAL GROUP, PLLC
2764 Lake Sahara Drive, Suite 109
Las Vegas, Nevada 89117
Telephone: 702-420-2001
ecf@randazza.com

*Attorneys for Defendants,
Infowars, LLC and Free Speech Systems, LLC*

**IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MATT FURIE,

Plaintiff,

vs.

INFOWARS, LLC; FREE SPEECH
SYSTEMS, LLC,

Defendants.

Case No. 2:18-cv-01830-MWF-JPR

**DEFENDANTS' REPORT RE:
NON-DISCLOSURE OF
EXHIBITS TO OPPOSITION TO
PLAINTIFF MATT FURIE'S
MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Case Filed: March 5, 2018

Trial Date: July 16, 2019

Per the Court's Minute Order of May 16, 2019 on the parties' cross-motions for summary judgment (Doc. No. 122), Defendants Free Speech Systems, LLC and Infowars, LLC (collectively, "Defendants") hereby file their Report re: Non-disclosure of Exhibits to Opposition to Plaintiff Matt Furie's Motion for Partial Summary Judgment.

The Court requests that Defendants provide an explanation as to why they did not previously disclose Exhibits 10-13, 15-21, 26-27, 37, and 43 to Defendants' Motion

1 for Summary Judgment (Doc. No. 88) (the “Motion”) and Exhibits 2-12, 14-15, 17,
 2 and 18 to Defendants’ Opposition to Mr. Furie’s Motion for Partial Summary
 3 Judgment (Doc. No. 95) (the “Opposition”). As explained in the attached Declaration
 4 of Alex J. Shepard, Defendants’ counsel either produced versions of these documents
 5 during discovery,¹ reasonably thought Mr. Furie was already aware of these documents,
 6 or for the first time accessed and retrieved these documents after the parties filed their
 7 motions for summary judgment.

8
 9 Dated: May 17, 2019.

Respectfully submitted,

10 RANDAZZA LEGAL GROUP, PLLC

11 /s/ Alex J. Shepard

12 Alex J. Shepard, CA Bar No. 295058

13 Marc J. Randazza, CA Bar No. 269535

14 2764 Lake Sahara Drive, Suite 109

Las Vegas, NV 89117

15 *Attorneys for Defendants,*
 16 *Infowars, LLC and*
 17 *Free Speech Systems, LLC*

18
 19
 20
 21
 22
 23
 24 ¹ As explained in Mr. Shepard’s Declaration, versions of Exhibits 10 and 15-21
 25 to the Motion were disclosed to Mr. Furie during the course of discovery. Exhibit 12
 26 to the Motion and Exhibits 6-7 to the Opposition are properly authenticated version of
 27 documents to which Mr. Furie refers in his Second Amended Complaint. Mr. Furie
 was thus aware of all these documents during the discovery period and cannot claim
 any prejudice.

Case No. 2:18-cv-01830-MWF-JPR

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 17, 2019, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I further certify that a true and correct copy of the foregoing document is being served via transmission of Notice of Electronic Filing generated by CM/ECF.

Respectfully submitted,

/s/ Alex J. Shepard

Alex J. Shepard